



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/467,551 | 12/10/1999 | LYNN Y. LIU | AIMN-01-006 | 2530 |
| 758 | 7590 | 11/29/2005 | EXAMINER | |
| FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041 | | | NGUYEN, NGA B | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3628 | |

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/467,551

Applicant(s)

LIU ET AL.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-30, 39-45 and 49-53 is/are allowed.
- 6) ☒ Claim(s) 31-38 and 46-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Amendment filed on June 17, 2005, which paper has been placed of record in the file.
2. Claims 21-53 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 21-53 have been fully considered but are moot in view of new ground of rejections.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 31-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freese et al. (hereinafter Freese), U.S. Patent No. 5,291,543, in view of Griffin, U.S. Patent No. 5,893,077.

Regarding to claims 31 and 32, Freese discloses a central settlement server for settling charges for network connection services, the central settlement server capable of communicating with a local service provider and a home service provider, the central settlement server, comprising:

a loader for receiving, from a local service provider, accounting records of a user's connection service usage of a network of the local service provider, the local service provider operated independently from a home service provider of the user, the user not having an account with the local service provider but having an account with the home service provider and connecting to the network vial the local service provider (column 5, lines 25-65; figure 3 and column 8, lines 5-15, the roam clearing house 240 receives roam call detail records from the billing service provider 205 of the cellular carriers 202, 201 over the public switch network 134; column 3, lines 47-54, in the roaming service, the customer does not have an account with foreign carrier by does have an account with the home carrier);

a raw records database, coupled to the loader, for storing the raw accounting records (column 4, lines 55-68);

a roaming history database for storing the filtered accounting records (column 5, lines 52-66); and

a reporting module, coupled to the roaming history database, for generating reports from the filtered accounting records to be sent to a home service provider records (column 5, lines 52-66).

Freese does not teach a filter, coupled to the raw records database, to generate filtered accounting records by removing erroneous data from the raw accounting records. However, Griffin discloses a method and system for settling charges for Internet connection services comprises a filter, coupled to the raw records database, to generate filtered accounting records by removing erroneous data from the raw

accounting records (column 22, lines 37-51). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature in the system of Freese, for the purpose of ensuring that no incorrectly data is placed in the report of service usage.

Moreover, Freese does not disclose the central settlement server for settling charges for Internet connection services and receiving accounting records from a local Internet service provider and transmitting the report of service usage to the home Internet service provider over the Internet. However, Examiner submits that the claimed invention recites an intended use which is the central settlement server for settling charges for Internet connection services and receiving accounting records from a local Internet service provider and transmitting the report of service usage to the home Internet service provider over the Internet, although Freese fails to discuss the intended use, Freese's computer system and computer readable medium in combining with the teaching of Griffin above is capable of settling charges for Internet connection services and receiving accounting records from a local Internet service provider and transmitting the report of service usage to the home Internet service provider over the Internet. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system of Freese 's to include the feature above for the purpose of settling charges for Internet connection services.

Regarding to claims 33 and 36, Freese discloses wherein the reporting module further comprises: a rating means for adding service rate information to the accounting records (column 5, lines 32-36).

Regarding to claims 34 and 37, Freese discloses the loader further comprises: a transformation means for arranging fields in the accounting records into a predetermined format (column 5, lines 52-53).

Regarding to claims 35 and 38, Freese and Griffin do not disclose the filter comprises: a means for removing duplicate records. However, removing duplicate records and irrelevant data from the accounting records is well known in the art of manipulating the accounting records. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature in the system of Freese modified by Griffin above, for the purpose of removing duplicate records and irrelevant data from the accounting records in order to ensure that no incorrectly data is placed in the report of service usage.

6. Claims 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freese et al (hereinafter Freese), U.S. Patent No. 5,291,543.

Regarding to claim 46, Freese discloses a central settlement server for settling charges for network connection services, the central settlement server capable of communicating with a local service provider and a home service provider comprising:

a loader for receiving, from a local service provider, accounting records of a user's connection service usage of a network of the local service provider, the local service provider operated independently from a home service provider of the user, the user not having an account with the local service provider but having an account with the home service provider and connecting to the network vial the local service provider (column 5, lines 25-65; figure 3 and column 8, lines 5-15, the roam clearing house 240

Art Unit: 3628

receives roam call detail records from the billing service provider 205 of the cellular carriers 202, 201 over the public switch network 134; column 3, lines 47-54, in the roaming service, the customer does not have an account with foreign carrier by does have an account with the home carrier); and

a reporting module for generating service usage reports from the received accounting records and transmitting the service usage reports to the local service provider over the Internet (column 5, lines 52-66 and column 7, line 60-67, the cellular carrier file server processor 107 transfers the records to the message router 111, the message router 111 periodically places a telephone call to the billing service provider from the local cellular switch over the public switched network 134 (the Internet is a public network) for the purpose of downloading detailed call records).

Freese does not disclose the central settlement server for settling charges for Internet connection services and receiving accounting records from a local Internet service provider and transmitting the report of service usage to the home Internet service provider over the Internet. However, Examiner submits that the claimed invention recites an intended use which is the central settlement server for settling charges for Internet connection services and receiving accounting records from a local Internet service provider and transmitting the report of service usage to the home Internet service provider over the Internet, although Freese fails to discuss the intended use, Freese's computer system and computer readable medium is capable of settling charges for Internet connection services and receiving accounting records from a local Internet service provider and transmitting the report of service usage to the home

Internet service provider over the Internet. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system of Freese 's to include the feature above for the purpose of settling charges for Internet connection services.

Regarding to claims 47 and 48, Freese does not disclose wherein the accounting records are received from the local Internet service provider over the Internet using User Datagram Protocol (UDP), and File Transfer Protocol (FTP). However, transmitting data over the Internet using User Datagram Protocol (UDP), and File Transfer Protocol (FTP) is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature in the system of Freese modified by Griffin above, for the purpose of using the common protocols for communicating accounting records over the Internet, thus time consuming because transmitting accounting records over the Internet more faster than physically transmitting.

Allowable Subject Matter

7. Claims 21-30, 39-45, and 49-53 are allowed over the prior arts cited record because the prior cited record does not teach a computer implemented method for settlement of charges for Internet connection service comprising: the settlement server receiving, from a local Internet service provider, accounting records of user's Internet connection service usage of the local Internet service provider, the local Internet service provider operated independently from a home Internet service provider of the user, the

Art Unit: 3628

user not having an account with the local Internet service provider but having an account with the home Internet service provider and connecting to the network via the local Internet service provider.

Conclusion

8. Claims 31-38 and 46-48 are rejected.

Claims 21-30, 39-45, and 49-53 are allowed.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

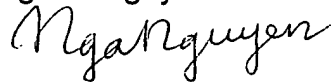
Art Unit: 3628

or

(571) 273-0325 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany
Street, Alexandria, VA, First Floor (Receptionist).

Nga B. Nguyen

A handwritten signature in cursive script that reads "Nga B. Nguyen".

September 30, 2005